

NAME AND ADDRESS OF ATTORNEY

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FOR COURT USE ONLY

SEP 3 - 1982

J. SCHREIBER

NAME AND ADDRESS OF ATTORNEY (Include law firm and post office and street address)
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO
220 West Broadway
San Diego, CA 92101

PLAINTIFF

McGREGOR SEA & AIR SERVICES (AMERICA) INC.

DEFENDANT

CINEMATRONICS, INC.

EX PARTE

CASE NUMBER

491479

RIGHT TO ATTACH ORDER AND ORDER FOR ISSUANCE OF WRIT OF ATTACHMENT (RESIDENT)
 ORDER FOR ISSUANCE OF WRIT OF ATTACHMENT (RESIDENT)

The application and supporting affidavit of plaintiff (Name) **McGREGOR SEA & AIR SERVICES (AMERICA) INC.**

For an ex parte right to attach order and order for issuance of writ of attachment Order for issuance of a writ of attachment has been considered by the court

FINDINGS

a. The court finds

- b. Defendant is corporation partnership unincorporated association individual
- c. The claim upon which the application is based is one upon which an attachment may be levied
- d. Plaintiff has established the probable validity of the claim upon which the application is based
- e. A Right to Attach Order was issued pursuant to CCP 484.010 (Number) CCP 485.220 (Ex parte) on (Date)
- f. The court pursuant to CCP 485.240 found plaintiff is entitled to a Right To Attach Order on (Date)
- g. The affidavit accompanying the application shows that the property sought to be attached is not exempt from attachment
- h. An undertaking in the amount of \$ is required before a writ shall issue and plaintiff has filed an undertaking in that amount

i. Total or incomplete injury will result to the plaintiff if issuance of the order is delayed until the matter can be heard on notice based on the following

- (1) There is a danger that the property sought to be attached would be
 - (a) concealed
 - (b) substantially impaired in value
 - (c) made unavailable to levy by other than encasement or impairment in value
- (2) A bulk sales notice was recorded on (Name) partly on (Date) and published pursuant to Division 6 of the Commercial Code with respect to a bulk transfer by the defendant
- (3) An escrow has been opened pursuant to the provisions of Bus & PC 24074 with respect to the sale by the defendant of a liquor license (Number)
- (4) Other circumstances (Indicate)

j. The attachment is not sought for a purpose other than the recovery on the claim upon which the application is based

k. Other (Specify)

(Continued on reverse side)

The word "plaintiff" and "lessee/cross-complainant" and "defendant" includes cross defendant. Singular includes the plural and masculine includes feminine.

Form Approved by the
State Bar of California
Effective Jan. 1, 1972

EX PARTE RIGHT TO ATTACH ORDER AND ORDER FOR
ISSUANCE OF WRIT OF ATTACHMENT (RESIDENT)

CCP 484.520, 485.010
485.220, 488.010, 488.430
488.210 or 489

ORDER

E. IT IS ORDERED

Plaintiff has a right to attach property of defendant (Name) **CINEMATRONICS, INCORPORATED** in the amount of \$ **92,809.01**

The clerk shall issue a writ of attachment [] furtherwith [] upon the filing of an undertaking in the amount of \$ **92,809.01** against the property of defendant described below in Attachment B

Real property standing in the name of defendant or any other person (Describe, state name and address of other person in the manner required by CCP 488.310)

Tangible personal property in the possession of defendant or any other person (Describe, state name and address of other person)

Farm products or inventory of a going business (Describe)

Motor vehicles or vessels which are equipment of a going business and for which a certificate of ownership has been issued by the Department of Motor Vehicles (Describe)

Equipment of a going business (Other than in item 3(a4)) (Describe)

Crops growing on or timber to be cut standing upon real property in the name of defendant or any other person (State location of and describe, state name and address of other person in the manner required by CCP 488.010 and CCP 488.360(c))

Money of an individual defendant

(a) [] located on the premises where a trade, business or profession is conducted by defendant

(b) [] in excess of \$1,000 elsewhere than on the premises where a trade, business or profession is conducted by defendant and not in deposit accounts

(c) [] located in a deposit account in excess of \$1,000

(d) [] in excess of an aggregate amount of \$1,000 located [] in deposit accounts [] in a deposit account and money located elsewhere than on the premises where a trade, business or profession is conducted by defendant

(e) Property covered by the bulk sales notice recorded in [] County, [] Date [] the proceeds of the sale of such property

(f) Plaintiff's pro rata share of the proceeds from an encroachment in which defendant's license is held (License number)

(g) Other property (CCP 488.370, 488.430 and CCP 487.010 Describe)

Any property for which a method of levy is provided (Use only for other than individual defendant)

Defendant (Name) **CINEMATRONICS, INCORPORATED**

shall transfer to the issuing officer possession of [] any documentary evidence in defendant's possession of title to any property described in item 6. [] any documentary evidence in defendant's possession of debt owed to defendant described in item 3b. [] the following property in defendant's possession (Specify)

NOTICE TO DEFENDANT: Failure to comply with this order may subject you to being held in contempt of court

[] Other

Total number of bonds checked in item 1 **7**
Dated **September 5, 1982** Honorable
(Type or print name)

L. De Ruha
(Signature of Judge)